

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | Case No. CR06-444 JLR |
| |) | |
| v. |) | |
| |) | DETENTION ORDER |
| JAMES L. PHILLIPS, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Offenses charged:

Count 1: Conspiracy to Distribute Schedule II controlled substances, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 846.

Count 2: Burglary of a Pharmacy, in violation of 18 U.S.C. §§ 2118 (b) and (2).

Count 3: Possession with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 18 U.S.C. § 2.

Count 4: Possession with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 18 U.S.C. § 2.

Date of Detention Hearing: January 3, 2007.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has an on-going serious substance abuse problem.

(2) Defendant has an extensive history of Failures to Appear for required court appearances.

(3) Defendant has demonstrated an unwillingness or an inability to comply with terms of supervision and court orders.

(4) Based on the proffer of the Assistant United States Attorney, after being asked to surrender, defendant was engaged in active efforts to avoid facing the present charges.

(5) There are active outstanding warrants for the arrest of the defendant.

(6) There appear to be no conditions or combination of conditions other than detention that will reasonably address the risk of flight and the safety of the community.

IT IS THEREFORE ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;


(3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

//

//

01 DATED this 3rd day of January, 2007

02 
03 JAMES P. DONOHUE
04 United States Magistrate Judge
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26